

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

Case No. 16-MJ-00031-JTM

AFFIDAVIT

I, Troy Schwalm, being duly sworn, state under oath that:

1. I am a Detective with the Kansas City, Missouri Police Department (KCMOPD) and have been employed by the Kansas City, Missouri Police Department since April of 1999. I have been a detective within the police department since October of 2006, conducting investigations involving drug law violations and firearms offenses within the Kansas City metropolitan area. I am currently assigned to the Violent Crimes Administrative Squad.

2. During my tenure with the police department, I have been involved in numerous investigations of various individuals in the importation and distribution of controlled substances and investigations of illegal firearm possession. I have communicated extensively with other state and federal law enforcement personnel who specialize in drug and firearm investigations. I have also had extensive experience in interviewing suspects, debriefing defendants, participating witnesses, informants, and other persons who have had personal experience and knowledge of weapon's law violations.

3. From my participation in this investigation of illegal firearm possession, as well as, from reviewing investigative reports and from discussions with other law enforcement officers, I have learned the information contained herein.

4. This Affidavit contains information necessary to support probable cause for this application. It is not intended to include every fact or matter observed by me or known by law enforcement. The information provided is based on my personal knowledge and observation during the course of this investigation, information conveyed to me by other law enforcement officials, and my review of records, documents, and other physical evidence obtained during the investigation.

5. On February 4, 2016, at approximately 12:03 p.m., Kansas City, Missouri Police Officers Sapp and Martin were dispatched to the area near East 67th Street and Myrtle Avenue, Kansas City, Jackson County, Missouri, in order to serve an emergency Ex-Parte/Order of Protection. The officers made contact with Ms. C. Scott and were handed an active Adult Abuse/Stalking Ex Parte Order of Protection for **Steven L. MARSHALL**, Black/Male, DOB: 07/15/1966, issued through the 16th Judicial Circuit Court of Jackson County, Missouri.

6. Ms. C. Scott accompanied the officers to her residence at 3810 E. 68th Street, Kansas City, Jackson County, Missouri, where they made contact with **Steven L. MARSHALL**

at the front door. **MARSHALL** was served with the Ex-Parte Order and allowed to gather some belongings and leave the house.

7. The officers remained at the residence with Ms. C. Scott. Ms. C. Scott told the officers **MARSHALL** had a firearm inside the residence, which she did not want to stay in the house. Ms. C. Scott advised the officers **MARSHALL** had threatened her with the weapon in the past by waving it around and slamming it on a table, therefore she wanted the officers to take it. Ms. C. Scott escorted the officers to a bedroom and showed the officers where **MARSHALL** kept the firearm in a dresser drawer.

8. Officer Sapp recovered the firearm and determined it to be a Hi-Point firearm, Model CF380, .380 caliber handgun with serial number P8085403. The firearm was recovered with two (2) loaded ammunition magazines containing 15 live rounds of Aguila ammunition.

9. The officers checked **MARSHALL's** criminal history and determined he had previous convictions for felony offenses. Once the officers determined **MARSHALL** was prohibited from possessing a firearm, they re-contacted him as he was sitting on the front porch of 3814 East 68th Street, Kansas City, Jackson County, Missouri. The officers placed **MARSHALL** under arrest, holding him for investigation of being a "Felon in Possession of a Firearm."

10. On February 4, 2016, at 1507 hours, I interviewed **MARSHALL** at the Metro Patrol Division Station regarding his arrest. Prior to questing, I advised **MARSHALL** of his *Miranda* rights via the *Miranda Warning* form. **MARSHALL** told me he understood his rights, signed the *Miranda* waiver form, and agreed to speak with me about his arrest. During the interview, **MARSHALL** admitted to possessing the firearm and knowing it was illegal for him to do so. **MARSHALL** explained a family member had left the weapon with him and he had kept it on his person or secured for approximately three to four weeks. **MARSHALL** provided the family member's name and a contact number for me to verify his statements.

11. On February 4, 2016, at approximately 1630 hours, I made contact with the reported gun owner (Mr. C. Miller). Mr. C. Miller told me he had brought the firearm to his grandparents' residence in Gladstone, Clay County, Missouri. Mr. C. Miller told me he did not give the firearm to **MARSHALL**. Mr. C. Miller told me he knew **MARSHALL** was prohibited from possessing firearms due to being a convicted felon, and did not realize the weapon was missing until I informed him.

12. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent (SA) Matt Wilson, who has been trained as an Interstate Nexus Expert for ATF, was contacted by your affiant and told me the recovered Hi-Point Firearm, Model CF380, .380 caliber. handgun with serial number P8085403 had been manufactured or produced outside the State of Missouri, therefore, the firearm has previously travelled in interstate or foreign commerce.

13. A review of **MARSHALL's** felony criminal convictions revealed a 1998 Felony conviction for 2nd Degree Robbery through the Jackson County, Missouri Circuit Court under Case No. CR199670835 and another Felony conviction for 2nd Degree Robbery through Jackson County Circuit Court under Case No. CR199805979.

FURTHER AFFIANT SAYETH NAUGHT:

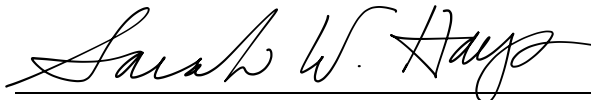


TROY SCHWALM

Detective

Violent Crimes Administrative Squad
Kansas City, Missouri Police Department

Subscribed and sworn to before me
this 5th day of February, 2016



HONORABLE SARAH W. HAYS
Chief United States Magistrate Judge
Western District of Missouri